

Genentech, Inc.

Genentech, Inc.

Genentech, Inc.

Genentech, Inc.

Genentech, Inc.

FACSIMILE TRANSMITTAL

1 DNA WAY

South San Francisco, CA 94080

(650) 225-1994

Facsimile: (650) 952-9881

FAX RECEIVED

SEP 30 2002

GROUP 1600DATE: September 30, 2002

Please deliver the following Amendment to:

OFFICIAL

NAME: Examiner Marianne DiBrino - Group Art 1644

U.S. Patent and Trademark office

Washington, DC 20231

Fax No.: (703) 305-3014

FROM: Wendy M. Lee

Registration No.: 40,378

RE: U.S. Serial No.: 09/705,457

Our Docket No.: P0998D3

Number of Pages including this cover sheet - 6**Certificate of Facsimile Transmission Under 37 CFR § 1.8**

In accordance with CFR § 1.6(d), this correspondence addressed to The Patent and Trademark Office, Washington, DC 20231 is being transmitted to facsimile No. (703) 305-3014

CONFIDENTIAL NOTE

The documents accompanying this facsimile transmission contain information from GENENTECH, INC. which is confidential or privileged. The information is intended only for the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is strictly prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us and the retransmission of them to the intended recipient.

If you do not receive all pages, please notify Wendy Lee at (650) 225-1994.

Patent Docket P0998D3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of James Andya et al. Serial No.: 09/705,457 Filed: November 2, 2000 For: PROTEIN FORMULATION	Group Art Unit: 1644 Examiner: M. DiBrino Certificate of Facsimile Transmission Under 37 CFR § 1.8 In accordance with CFR 1.814, this correspondence addressed to The Patent and Trademark Office, Washington, DC 20231 is being transmitted to facsimile No. 17031305-3014 <u>September 30, 2002</u> <u>WML</u> Wendy M. Lee
---	--

AMENDMENT UNDER 37 C.F.R. §1.111

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Responsive to the Office Action mailed 7/10/02, reconsideration of the present application is respectfully requested in view of the following amendments and remarks.

IN THE CLAIMS:

Please amend claim 37 as follows:

C1
37. (Amended) A method for treating a mammal comprising administering a therapeutically effective amount of a stable reconstituted formulation to the mammal in order to treat a disorder selected from the group consisting of an IgE-mediated allergic disease, a parasitic infection, interstitial cystitis and asthma in the mammal, wherein the reconstituted formulation comprises an antibody which binds IgE in an amount of 50 mg/mL to about 400mg/mL and has been prepared by reconstituting a lyophilized mixture of the antibody and a lyoprotectant in a diluent, wherein the antibody concentration in the reconstituted formulation is about 2-40 times greater than the antibody concentration in the mixture before lyophilization.

PLM
Please cancel non-elected claims 41-43, which have been withdrawn from consideration, without prejudice or disclaimer.